

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE NOCO COMPANY,)	CASE NO. 1:20-cv-02322
)	
Plaintiff,)	JUDGE DAVID A. RUIZ
)	
v.)	
)	
AUKEY TECHNOLOGY CO., LTD., et)	
al.)	
)	
Defendants.)	
)	

JOINT MOTION FOR EXTENSION OF CASE DEADLINES

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), Plaintiff The NOCO Company ("**NOCO**") and Defendants Aukey Technology Co., Ltd., ("**Aukey**"), Shenzhenshi Jiangyun Shangmaoyouxiangongsi ("**HuiMing**"), and Wodeshijikeji Shenzhen Youxiangongsi ("**WorldUS**") (collectively, the "**Parties**") jointly request that this Court issue an order modifying the deadlines it initially set forth in its December 9, 2021 Case Management Conference Order (ECF # 33). Counsel for the Parties conferred in good faith before filing this motion and jointly agreed to seek such an extension, which would revise all current case deadlines by approximately 120 days, due to the complexities and difficult logistics involved in this case.

On December 6, 2021, the Parties attended the Case Management Conference with the Court, after which the Court issued a December 9, 2021, Case Management Conference Order (ECF # 33) setting forth the following deadlines:

Event	Deadline
Fact Discovery Close	December 6, 2022
Affirmative Expert Reports	January 27, 2023
Defensive Expert Reports	March 3, 2023
Rebuttal Expert Reports	March 31, 2023
Expert Discovery Close	April 30, 2023
Dispositive Motions	May 26, 2023

In the time since the Parties first conferred pursuant to Fed. R. Civ. P. 26, the Parties have exchanged sets of Requests for Admission, Interrogatories, and Requests for Production. The Parties are in the process of exchanging search terms to aid in the retrieval and production of requested documents and Electronically Stored Information. The Parties intend to conduct depositions but are waiting to do so until document production has begun. Throughout this time, counsel for the Parties have communicated with one another and worked in good faith to conduct discovery.

Further, on January 20, 2022, NOCO filed its Notice of Service (ECF #34) of a Fed. R. Civ. P. 45 subpoena *duces tecum* that was served upon non-party Amazon.com, Inc. ("*Amazon*"). Counsel for NOCO has met and conferred on multiple occasions, and exchanged rounds of email correspondence, with Amazon's counsel. NOCO continues to

work diligently to obtain information responsive to the subpoena, which NOCO considers highly relevant and crucial to NOCO's claims in this case.

Despite the cooperation of all involved, more time is needed to thoroughly investigate the facts and allegations at issue in this matter. Accordingly, the Parties propose that the Court reset the discovery and dispositive motion deadlines as follows:

Event	Previous Deadline	New Deadline
Fact Discovery Close	December 6, 2022	April 5, 2023
Affirmative Expert Reports	January 27, 2023	May 30, 2023
Defensive Expert Reports	March 3, 2023	July 3, 2023
Rebuttal Expert Reports	March 31, 2023	July 31, 2023
Expert Discovery Close	April 30, 2023	August 28, 2023
Dispositive Motions	May 26, 2023	September 25, 2023

The Parties make this request in good faith and not for the purposes of delay. Rather, the Parties recognize that more time is needed for fact discovery to investigate and develop legal theories and defenses brought in this complex case, which will undoubtedly be impacted by the upcoming holidays in two countries and by internal and international travel and work restrictions related to COVID-19. As the Parties noted to Magistrate Judge Thomas M. Parker during the September 7, 2022, mediation session, thorough discovery is essential to substantive settlement discussions. Accordingly, the Parties submit that good cause exists to justify the requested extension and urge the Court to issue an order resetting the case deadlines as set forth above.

Respectfully submitted,

ANALECTS LEGAL LLC

/s/ Peter J. Curtin

Peter J. Curtin (pro hac vice)
1212 S. Naper Blvd.
Suite # 119 – PMB 238
Naperville, IL 60540
(240) 432-3267
pcurtin@analectslegal.com

TUCKER ELLIS LLP

Jay R. Campbell (0041293)
David A. Bernstein (0093955)
950 Main Avenue, Suite 1100
Cleveland, OH 44113
Telephone: 216.592.5000
Facsimile: 216.592.5009
E-mail: jay.campbell@tuckerellis.com
david.bernstein@tuckerellis.com

Counsel for Defendants

KOHRMAN JACKSON & KRANTZ LLP

/s/ Jon J. Pinney

JON J. PINNEY (0072761)
JONATHON W. GROZA (0083985)
NATHAN F. STUDENY (0077864)
KYLE D. STROUP (0099118)
One Cleveland Center, 29th Floor
1375 East Ninth Street
Cleveland, Ohio 44114
Telephone: (216) 696-8700
Facsimile: (216) 621-6536
Email: jjp@kjk.com; jwg@kjk.com;
nfs@kjk.com; kds@kjk.com

Counsel for Plaintiff The NOCO Company

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was filed electronically via the Court's electronic docketing system on December 6, 2022. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Jon J. Pinney

Jon J. Pinney

Counsel for Plaintiff The NOCO Company